

Exhibit G

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13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

15

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17 IN RE: CATHODE RAY TUBE (CRT)
18 ANTITRUST LITIGATION

19 MASTER FILE NO. 07-cv-5944 SC

20 MDL NO. 1917

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23 This Document Relates to:
24 ALL DIRECT PURCHASER ACTIONS

25 **PLAINTIFF RADIO & TV EQUIPMENT,
INC.'S RESPONSES TO DEFENDANT
HITACHI AMERICA, LTD.'S FIRST SET
OF INTERROGATORIES**

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28 PROPOUNDING PARTY: HITACHI AMERICA, LTD.

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31 RESPONDING PARTY: PLAINTIFF RADIO & TV EQUIPMENT, INC.

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34 SET NO.: ONE

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39 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Radio & TV

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42 Equipment, Inc. ("Plaintiff"), by its attorneys, objects and responds to Defendant Hitachi America,
43 Ltd.'s First Set of Interrogatories to the Direct Purchaser Plaintiffs (the "Interrogatories") as
44 follows:

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47 **GENERAL OBJECTIONS**

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50 Each of the following objections is incorporated by reference into each of the responses
51 herein:

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53 815488.1

54 MDL NO. 1917

55 PLAINTIFF RADIO & TV EQUIPMENT, INC.'S RESPONSES TO DEFENDANT HITACHI AMERICA, LTD.'S
56 FIRST SET OF INTERROGATORIES

1 1. Plaintiff and its counsel have not completed their (1) investigation of the facts
 2 relating to this case, (2) discovery in this action, or (3) preparation for trial. The following
 3 responses are therefore based upon information known at this time and are provided without
 4 prejudice to Plaintiff's right to supplement these responses prior to trial or to produce evidence
 5 based on subsequently discovered information. Likewise, Plaintiff's responses are based upon,
 6 and therefore limited by, Plaintiff's present knowledge and recollection, and consequently,
 7 Plaintiff reserves the right to make any changes in these responses if it appears at any time that
 8 inadvertent errors or omissions have been made.

9 2. Plaintiff generally objects to the Interrogatories, including the Instructions and
 10 Definitions, to the extent they purport to enlarge, expand or alter in any way the plain meaning and
 11 scope of any interrogatory or to impose any obligations on Plaintiff's responses in excess of those
 12 required by the Federal Rules of Civil Procedure. Plaintiff will respond to these Interrogatories in
 13 accordance with its understanding of the obligations imposed by the Federal Rules of Civil
 14 Procedure.

15 3. Plaintiff objects to the Interrogatories, including the Instructions and Definitions, to
 16 the extent the information sought is protected by the attorney-client privilege, the attorney work
 17 product doctrine, or is otherwise privileged and/or immune from discovery. By responding to
 18 these Interrogatories, Plaintiff does not waive, intentionally or otherwise, any attorney-client
 19 privilege, attorney work-product or any other privilege, immunity or other protection that may be
 20 asserted to protect any information from disclosure. Accordingly, any response or production of
 21 documents or disclosure of information inconsistent with the foregoing is wholly inadvertent and
 22 shall not constitute a waiver of any such privilege, immunity or other applicable protection.

23 4. Plaintiff objects to the Interrogatories to the extent they fail to state with sufficient
 24 particularity the information and categories of information to be provided.

25 5. Plaintiff objects to the Interrogatories to the extent they request Plaintiff to produce
 26 documents outside its possession, custody, or control.

27 6. Plaintiff objects to the Interrogatories to the extent they are overly broad and
 28 unduly burdensome.

1 7. Plaintiff objects to the Interrogatories to the extent they are vague, ambiguous,
 2 redundant, harassing or oppressive.

3 8. Plaintiff objects to the Interrogatories to the extent they require Plaintiff to draw
 4 legal conclusions.

5 9. Plaintiff objects to the Interrogatories to the extent the information requested is
 6 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

7 10. Plaintiff objects to the Interrogatories to the extent that they, or any portion of
 8 them, seek production of any information within the possession, custody, or control of any
 9 Defendant, or of publicly available information such that the information is obtainable from some
 10 other source that is more convenient, less burdensome or less expensive, or the production of the
 11 information will impose undue burden, inconvenience, or expense upon Plaintiff.

12 11. Plaintiff objects to each and every interrogatory and also to the instructions
 13 accompanying them, to the extent they seek to require Plaintiff to produce all information that
 14 supports or otherwise relates to specific contentions in this litigation, on the ground that such
 15 contention interrogatories are unduly burdensome and premature at this stage of the litigation.

16 12. Plaintiff objects to the Interrogatories to the extent that they seek information
 17 relating to the sales or use of CRT(s) and/or CRT PRODUCT(s) acquired by Plaintiff, or other
 18 such downstream data, because such information is not relevant to the claim or defense of any
 19 party. *See, e.g., In re Vitamins Antitrust Litig.*, 198 F.R.D. 296, 301 (D.D.C. 2000); *In re Pressure*
 20 *Sensitive Labelstock Antitrust Litig.*, 226 F.R.D. 492, 497-498 (M.D. Pa. 2005). Additionally,
 21 information other than that related to direct purchases of CRT Products from the named
 22 defendants in this action has been barred by the United States Supreme Court, *Illinois Brick Co. v.*
 23 *Illinois*, 431 U.S. 720 (1977).

24 13. Plaintiff objects to the Interrogatories to the extent that they seek information that
 25 requires expert opinion. Plaintiff is entitled to provide additional evidence that is responsive to
 26 one or more of the interrogatories in the form of expert reports at the appropriate time, and no
 27 response should be construed to foreclose any such disclosure.

28 14. Plaintiff reserves the right to modify their allegations based on additional

1 discovery, additional analysis of existing discovery, discovery not yet completed and/or expert
 2 discovery, and Plaintiff reserves the right to supplement and/or delete the responses given in light
 3 of further evidence and further analysis of present and subsequently acquired evidence.

4 15. In addition, in accordance with the Federal Rules of Civil Procedure, Plaintiff
 5 reserves the right to introduce evidence not yet identified herein supporting Plaintiff's allegations,
 6 including evidence that Plaintiff expects to further develop through the course of discovery and
 7 expert analysis.

8 16. In providing responses to the Interrogatories, Plaintiff reserves all objections as to
 9 competency, relevance, materiality, privilege, or admissibility as evidence in any subsequent
 10 proceeding in, or trial of, this or any other action for any purpose whatsoever.

11 17. No incidental or implied admissions are intended in these responses. Plaintiff's
 12 response to all or any part of any Interrogatory should not be taken as an admission that: (a)
 13 Plaintiff accepts or admits the existence of any fact(s) set forth or assumed by the Interrogatory; or
 14 (b) Plaintiff has in its possession, custody or control documents or information responsive to that
 15 interrogatory; or (c) documents or information responsive to that interrogatory exist. Plaintiff's
 16 response to all or any part of an Interrogatory also is not intended to be, and shall not be, a waiver
 17 by Plaintiff of all or any part of its objection(s) to that interrogatory.

18 18. Plaintiff objects to the interrogatories to the extent they are duplicative of
 19 interrogatories served by other defendants in this litigation. To the extent these interrogatories
 20 seek answers that are duplicative to those requested by other interrogatories that have already been
 21 propounded on the direct purchaser class, or served at the same time as these interrogatories, the
 22 direct purchaser plaintiffs will only answer them once.

23 19. Plaintiff objects to these interrogatories to the extent that the cumulative requests
 24 by all defendants in this litigation exceed the permissible number set forth in the Federal Rules.

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RESPONSES**2 INTERROGATORY NO. 1:**

3 IDENTIFY all PERSONS who participated or assisted in the preparation of YOUR
 4 responses to these interrogatories.

5 RESPONSE TO INTERROGATORY NO. 1:

6 Plaintiff incorporates the General Objections as though fully set forth herein. Subject to,
 7 and without waiving, the foregoing objections, Plaintiff responds as follows:

8 Bruce Holtan, President of Radio & TV Equipment, Inc.
 9 615 North Shore Drive
 Detroit Lakes, Minnesota
 56501

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INTERROGATORY NO. 2:

11 Separately identify each CRT that YOU sold during the RELEVANT PERIOD, including
 12 without limitation the date and place of sale, the type and manufacturer of each CRT sold, and the
 13 IDENTITY of each PERSON involved in the sale and the time period and nature of each
 14 PERSON's involvement.

15

16 As part of YOUR response, IDENTIFY each DOCUMENT that YOU contend supports
 YOUR response.

17

RESPONSE TO INTERROGATORY NO. 2:

18 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
 19 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
 20 broad and unduly burdensome. Plaintiff further objects to this interrogatory on the ground that it
 21 seeks information entirely irrelevant to the issues raised and damages claimed in this case and is
 22 not likely to lead to the discovery of admissible evidence. Plaintiff further objects and will not
 23 respond to this interrogatory because it impermissibly calls for downstream information
 24 concerning sales of CRTs by Plaintiff and such information is not relevant to the claims or
 25 defenses of any party. *See, e.g., In re Vitamins Antitrust Litig.*, 198 F.R.D. 296, 301 (D.D.C.
 26 2000); *In re Pressure Sensitive Labelstock Antitrust Litig.*, 226 F.R.D. 492, 497-498 (M.D. Pa.
 27 2005).

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1 **INTERROGATORY NO. 3:**

2 Separately identify each CRT PRODUCT that YOU sold during the RELEVANT
3 PERIOD, including without limitation the date and place of sale, the type and manufacturer of
4 each CRT PRODUCT sold, and the IDENTITY of each PERSON involved in the sale and the
5 time period and nature of each PERSON's involvement.

6 As part of YOUR response, IDENTIFY each DOCUMENT that YOU contend supports
7 YOUR response.

8 **RESPONSE TO INTERROGATORY NO. 3:**

9 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
10 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
11 broad and unduly burdensome. Plaintiff further objects to this interrogatory on the ground that it
12 seeks information entirely irrelevant to the issues raised and damages claimed in this case and is
13 not likely to lead to the discovery of admissible evidence. Plaintiff further objects and will not
14 respond to this interrogatory because it impermissibly calls for downstream information
15 concerning sales of CRTs by Plaintiffs and such information is not relevant to the claims or
16 defenses of any party. *See, e.g., In re Vitamins Antitrust Litig.*, 198 F.R.D. 296, 301 (D.D.C.
17 2000); *In re Pressure Sensitive Labelstock Antitrust Litig.*, 226 F.R.D. 492, 497-498 (M.D. Pa.
18 2005).

19 **INTERROGATORY NO. 4:**

20 For each sale of a CRT identified in Interrogatory No. 2, state all terms and conditions that
21 were a part of the sale, including without limitation all terms and conditions RELATING TO
22 pricing, taxes, tariffs, duties, freight charges, or any other fees paid by any PERSON in connection
23 with the sale.

24 As part of YOUR response, IDENTIFY each DOCUMENT that YOU contend supports
25 YOUR response.

26 **RESPONSE TO INTERROGATORY NO. 4:**

27 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
28 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly

1 broad and unduly burdensome. Plaintiff further objects to this interrogatory on the ground that it
 2 seeks information entirely irrelevant to the issues raised and damages claimed in this case and is
 3 not likely to lead to the discovery of admissible evidence. Plaintiff further objects and will not
 4 respond to this interrogatory because it impermissibly calls for downstream information
 5 concerning sales of CRTs by Plaintiffs and such information is not relevant to the claims or
 6 defenses of any party. *See, e.g., In re Vitamins Antitrust Litig.*, 198 F.R.D. 296, 301 (D.D.C.
 7 2000); *In re Pressure Sensitive Labelstock Antitrust Litig.*, 226 F.R.D. 492, 497-498 (M.D. Pa.
 8 2005).

9 **INTERROGATORY NO. 5:**

10 For each sale of a CRT PRODUCT identified in Interrogatory No. 3, state all terms and
 11 conditions that were a part of the sale, including without limitation all terms and conditions
 12 RELATING TO pricing, taxes, tariffs, duties, freight charges, or any other fees paid by any
 13 PERSON in connection with the sale.

14 As part of YOUR response, IDENTIFY each DOCUMENT that YOU contend supports
 15 YOUR response.

16 **RESPONSE TO INTERROGATORY NO. 5:**

17 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
 18 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
 19 broad and unduly burdensome. Plaintiff further objects to this interrogatory on the ground that it
 20 seeks information entirely irrelevant to the issues raised and damages claimed in this case and is
 21 not likely to lead to the discovery of admissible evidence. Plaintiff further objects and will not
 22 respond to this interrogatory because it impermissibly calls for downstream information
 23 concerning sales of CRTs by Plaintiffs and such information is not relevant to the claims or
 24 defenses of any party. *See, e.g., In re Vitamins Antitrust Litig.*, 198 F.R.D. 296, 301 (D.D.C.
 25 2000); *In re Pressure Sensitive Labelstock Antitrust Litig.*, 226 F.R.D. 492, 497-498 (M.D. Pa.
 26 2005).

27 **INTERROGATORY NO. 6:**

28 Separately for each DEFENDANT and "co-conspirator" alleged in the COMPLAINT,

1 including without limitation their subsidiaries and affiliates, state for each calendar year of the
 2 RELEVANT PERIOD the gross dollar amounts, unit volumes, and types of CRTs YOU acquired
 3 or sold.

4 As part of YOUR response, IDENTIFY each DOCUMENT that YOU contend supports
 5 YOUR response.

6 **RESPONSE TO INTERROGATORY NO. 6:**

7 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
 8 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
 9 broad and unduly burdensome. Plaintiff objects to this interrogatory on the grounds that it seeks
 10 information entirely irrelevant to the issues raised and damages claimed in this case and is not
 11 likely to lead to the discovery of admissible evidence. Plaintiff further objects to this interrogatory
 12 because it calls for downstream information concerning sales of CRTs by Plaintiff and such
 13 information is not relevant to the claims or defenses of any party. Plaintiff further objects to this
 14 interrogatory to the extent that it impermissibly seeks the premature and non-reciprocal disclosure
 15 of experts and expert information, or requires Plaintiff to set forth factual analyses, comparative
 16 analyses, opinions, or theories that may be the subject of expert testimony. Plaintiff also objects to
 17 this interrogatory to the extent it calls for disclosure of information that is protected by the
 18 attorney-client privilege, the work product doctrine, or is otherwise privileged or immune from
 19 discovery. Plaintiff further objects to this interrogatory on the ground that it is duplicative of other
 20 interrogatories served in this action. Finally, Plaintiff objects to this interrogatory to the extent it
 21 imposes obligations on Plaintiff beyond the scope of the Federal Rules of Civil Procedure 26 and
 22 34 and the applicable Local Rules of the United States District Court for the Northern District of
 23 California. Subject to, and without waiving these objections, Plaintiff's purchases of CRTs from
 24 the defendants may be derived from their production of documents.

25 **INTERROGATORY NO. 7:**

26 Separately for each DEFENDANT and "co-conspirator" alleged in the COMPLAINT,
 27 including without limitation their subsidiaries and affiliates, state for each calendar year of the
 28 RELEVANT PERIOD the gross dollar amounts, unit volumes, and types of CRT PRODUCTS

1 YOU acquired or sold.

2 As part of YOUR response, IDENTIFY each DOCUMENT that YOU contend supports
3 YOUR response.

4 **RESPONSE TO INTERROGATORY NO. 7:**

5 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
6 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
7 broad and unduly burdensome. Plaintiff objects to this interrogatory on the grounds that it seeks
8 information entirely irrelevant to the issues raised and damages claimed in this case and is not
9 likely to lead to the discovery of admissible evidence. Plaintiff further objects to this interrogatory
10 because it calls for downstream information concerning sales of CRTs by Plaintiff and such
11 information is not relevant to the claims or defenses of any party. Plaintiff further objects to this
12 interrogatory to the extent that it impermissibly seeks the premature and non-reciprocal disclosure
13 of experts and expert information, or requires Plaintiff to set forth factual analyses, comparative
14 analyses, opinions, or theories that may be the subject of expert testimony. Plaintiff also objects to
15 this interrogatory to the extent it calls for disclosure of information that is protected by the
16 attorney-client privilege, the work product doctrine, or is otherwise privileged or immune from
17 discovery. Plaintiff further objects to this interrogatory on the ground that it is duplicative of other
18 interrogatories served in this action. Finally, Plaintiff objects to this interrogatory to the extent it
19 imposes obligations on Plaintiff beyond the scope of the Federal Rules of Civil Procedure 26 and
20 34 and the applicable Local Rules of the United States District Court for the Northern District of
21 California. Subject to, and without waiving these objections, Plaintiff's purchases of CRT
22 Products from the defendants may be derived from their production of documents.

23 **INTERROGATORY NO. 8:**

24 IDENTIFY each PERSON with knowledge of YOUR negotiations RELATING TO the
25 terms and conditions for each of YOUR acquisitions or sales of CRTs during the RELEVANT
26 PERIOD.

27 **RESPONSE TO INTERROGATORY NO. 8:**

28 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff

1 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
 2 broad and unduly burdensome. Plaintiff objects to this interrogatory on the grounds that it seeks
 3 information entirely irrelevant to the issues raised and damages claimed in this case and is not
 4 likely to lead to the discovery of admissible evidence. Plaintiff further objects to this interrogatory
 5 because it calls for downstream information concerning sales of CRTs by Plaintiff and such
 6 information is not relevant to the claims or defenses of any party. *See, e.g., In re Vitamins*
 7 *Antitrust Litig.*, 198 F.R.D. 296, 301 (D.D.C. 2000); *In re Pressure Sensitive Labelstock Antitrust*
 8 *Litig.*, 226 F.R.D. 492, 497-498 (M.D. Pa. 2005). Plaintiff further objects to this interrogatory on
 9 the ground that it is duplicative of other interrogatories served in this action.

10 Subject to, and without waiving, the foregoing objections, Plaintiff responds with respect
 11 to their acquisition of CRT Products from defendants as follows: Radio & TV Equipment, Inc.
 12 did not purchase any CRTs during the RELEVANT PERIOD. It only purchased CRT
 13 PRODUCTS.

14 **INTERROGATORY NO. 9:**

15 IDENTIFY each PERSON with knowledge of YOUR negotiations RELATING TO the
 16 terms and conditions for each of YOUR acquisitions or sales of CRT PRODUCTS during the
 17 RELEVANT PERIOD.

18 **RESPONSE TO INTERROGATORY NO. 9:**

19 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
 20 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
 21 broad and unduly burdensome. Plaintiff objects to this interrogatory on the grounds that it seeks
 22 information entirely irrelevant to the issues raised and damages claimed in this case and is not
 23 likely to lead to the discovery of admissible evidence. Plaintiff further objects to this interrogatory
 24 because it calls for downstream information concerning sales of CRTs by Plaintiff and such
 25 information is not relevant to the claims or defenses of any party. *See, e.g., In re Vitamins*
 26 *Antitrust Litig.*, 198 F.R.D. 296, 301 (D.D.C. 2000); *In re Pressure Sensitive Labelstock Antitrust*
 27 *Litig.*, 226 F.R.D. 492, 497-498 (M.D. Pa. 2005). Plaintiff further objects to this interrogatory on
 28 the ground that it is duplicative of other interrogatories served in this action.

1 Subject to, and without waiving, the foregoing objections, Plaintiff responds with respect
2 to their acquisition of CRT Products from defendants as follows:

3 Bruce Holtan, President of Radio & TV Equipment, Inc.
4 615 North Shore Drive
5 Detroit Lakes, MN 56501

6 Randy Balzum, Former Sales Manager of Radio & TV Equipment, Inc.
7 495 32nd Street North
8 Moorhead, MN 56560

9
10 **INTERROGATORY NO. 10:**

11 IDENTIFY YOUR product specifications for each acquisition or potential acquisition of
12 CRTs during the RELEVANT PERIOD, including without limitation all PERSONS with
13 knowledge of those specifications.

14
15 **RESPONSE TO INTERROGATORY NO. 10:**

16 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff also
17 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
18 broad and unduly burdensome. Plaintiff objects to this interrogatory on the grounds that it seeks
19 information entirely irrelevant to the issues raised and damages claimed in this case and is not
20 likely to lead to the discovery of admissible evidence. Plaintiff further objects to this interrogatory
21 on the ground that it is duplicative of other interrogatories served in this action. Subject to, and
22 without waiving, the foregoing objections, Plaintiff responds as follows: Radio & TV Equipment,
23 Inc. did not purchase any CRTs during the RELEVANT PERIOD. It only purchased CRT
24 PRODUCTS.

25 In addition, the answer to this interrogatory may be derived from Plaintiff's production of
26 documents.

27
28 **INTERROGATORY NO. 11:**

29 IDENTIFY YOUR product specifications for each acquisition or potential acquisition of
30 CRT PRODUCTS during the RELEVANT PERIOD, including without limitation all PERSONS
31 with knowledge of those specifications.

1 RESPONSE TO INTERROGATORY NO. 11:

2 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff also
 3 objects to this interrogatory on the grounds that it is compound, vague and ambiguous, overly
 4 broad and unduly burdensome. Plaintiff objects to this interrogatory on the grounds that it seeks
 5 information entirely irrelevant to the issues raised and damages claimed in this case and is not
 6 likely to lead to the discovery of admissible evidence. Plaintiff further objects to this interrogatory
 7 on the ground that it is duplicative of other interrogatories served in this action. Subject to, and
 8 without waiving, the foregoing objections, Plaintiff responds as follows: Radio & TV Equipment,
 9 Inc. neither provided any product specifications nor defined any specifications for any acquisition
 10 or potential acquisition of CRT PRODUCTS. Rather, Radio & TV Equipment, Inc. sold whatever
 11 products Hitachi made available to it.

12 In addition, the answer to this interrogatory may be derived from plaintiff's production of
 13 documents.

14 INTERROGATORY NO. 12:

15 Separately, with respect to each CRT that YOU acquired during the RELEVANT
 16 PERIOD, state the total dollar amount by which YOU allege YOU were overcharged as a result of
 17 the allegations in the Complaint.

18 As part of YOUR response, IDENTIFY each DOCUMENT that YOU contend supports
 19 YOUR response.

20 RESPONSE TO INTERROGATORY NO. 12:

21 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
 22 objects to this interrogatory as being a premature contention interrogatory. *See In re Convergent*
23 Technologies Securities Litig., 108 F.R.D. 328 (N.D. Cal. 1985) ("[t]here is considerable recent
 24 authority for the view that the wisest general policy is to defer propounding and answering
 25 contention interrogatories until near the end of the discovery period."); *In re Ebay Seller Antitrust*
26 Litig., No. C07-1882 JF (RS), 2008 WL 5212170 (N.D. Cal. Dec. 11, 2008) ("Courts using their
 27 Rule 33(a)(2) discretion generally disfavor contention interrogatories asked before discovery is
 28 undertaken."). Discovery has just started, Defendants have not meaningfully responded to

1 Plaintiffs' discovery, and Plaintiffs have not taken any depositions (and are not permitted to take
 2 depositions until November 1, 2010). Plaintiff further objects to this interrogatory to the extent
 3 that it impermissibly seeks the premature and non-reciprocal disclosure of experts and expert
 4 information, or requires Plaintiff to set forth factual analyses, comparative analyses, opinions, or
 5 theories that may be the subject of expert testimony. Plaintiff further objects to this interrogatory
 6 on the ground that it is vague, ambiguous, overbroad and unduly burdensome, and seeks material
 7 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff
 8 also objects to this interrogatory to the extent it calls for disclosure of information that is protected
 9 by the attorney-client privilege, the work product doctrine, or is otherwise privileged or immune
 10 from discovery. Finally, Plaintiff objects to this interrogatory to the extent it imposes obligations
 11 beyond the scope of the Federal Rules of Civil Procedure 26 and 34 and the applicable Local
 12 Rules of the United States District Court for the Northern District of California.

13 **INTERROGATORY NO. 13:**

14 Separately, with respect to each CRT PRODUCT that YOU acquired during the
 15 RELEVANT PERIOD, state the total dollar amount by which YOU allege YOU were
 16 overcharged as a result of the allegations in the Complaint.

17 As part of YOUR response, IDENTIFY each DOCUMENT that YOU contend supports
 18 YOUR response.

19 **RESPONSE TO INTERROGATORY NO. 13:**

20 Plaintiff incorporates the General Objections as though fully set forth herein. Plaintiff
 21 objects to this interrogatory as being a premature contention interrogatory. *See In re Convergent*
22 Technologies Securities Litig., 108 F.R.D. 328 (N.D. Cal. 1985) (“[t]here is considerable recent
 23 authority for the view that the wisest general policy is to defer propounding and answering
 24 contention interrogatories until near the end of the discovery period.”); *In re Ebay Seller Antitrust*
25 Litig., No. C07-1882 JF (RS), 2008 WL 5212170 (N.D. Cal. Dec. 11, 2008) (“Courts using their
 26 Rule 33(a)(2) discretion generally disfavor contention interrogatories asked before discovery is
 27 undertaken.”). Discovery has just started, Defendants have not meaningfully responded to
 28 Plaintiffs' discovery, and Plaintiffs have not taken any depositions (and are not permitted to take

1 depositions until November 1, 2010). Plaintiff further objects to this interrogatory to the extent
 2 that it impermissibly seeks the premature and non-reciprocal disclosure of experts and expert
 3 information, or requires Plaintiff to set forth factual analyses, comparative analyses, opinions, or
 4 theories that may be the subject of expert testimony. Plaintiff further objects to this interrogatory
 5 on the ground that it is vague, ambiguous, overbroad and unduly burdensome, and seeks material
 6 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff
 7 also objects to this interrogatory to the extent it calls for disclosure of information that is protected
 8 by the attorney-client privilege, the work product doctrine, or is otherwise privileged or immune
 9 from discovery. Finally, Plaintiff objects to this interrogatory to the extent it imposes obligations
 10 beyond the scope of the Federal Rules of Civil Procedure 26 and 34 and the applicable Local
 11 Rules of the United States District Court for the Northern District of California.

12

13 DATED: July 8, 2010

By: /s/ Guido Saveri
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 San Francisco, CA 94111
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*Interim Lead Counsel for the Direct
 Purchaser Plaintiffs*

17 Crt.271a-10

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VERIFICATION

I, Bruce Holtan, am President of Radio & TV Equipment, Inc. I do hereby state, under penalty of perjury under the laws of the United States, that the responses contained in Plaintiff Radio & TV Equipment, Inc.'s Responses and Objections to Defendant Hitatchi America, LTD.'s First Set of Interrogatories are true and correct to the best of my knowledge.

Executed on July 8, 2010.

Bruce Holtan
Signature